

REMARKS

In the Office Action, the Examiner indicated that Claims 1 through 24 are pending in the application and the Examiner rejected all claims.

Claim Rejections, 35 U.S.C. § 101

Applicants thank the Examiner for reconsidering and withdrawing the rejection of claims 17-24 under 35 U.S.C. § 101.

Claim Rejections, 35 U.S.C. § 102

On page 3 of the Office Action, the Examiner rejected Claims 1-24 under 35 U.S.C. §102(b) as being anticipated by Winamp Version 2.22 released in 1999 by Nullsoft, Inc.

The Present Invention

The present invention teaches a user interface mechanism that introduces a concept referred to as a “non-overlapping workspace”. In a preferred embodiment, a system user can switch between a traditional overlapping workspace (where multiple windows literally overlap) to a non-overlapping workspace depending upon how the user wishes to move and manage objects or windows in the workspace. A user first selects to enter non-overlapping mode in the workspace. Next, a user moves a selected object to relocate it within the work area and if its border touches another object while moving in a particular direction, the selected object pushes (rather than overlaps) the other object in the same direction. Claim 1 specifically recites these steps as follows: “configuring said GUI into a

non-overlapping workspace; situating at least two of said objects in said non-overlapping workspace; and pushing a second of said objects in said non-overlapping workspace when a first of said objects comes in contact with said second of said objects while being moved.”

“Winamp” Version 2.22

Winamp Version 2.22 was commercially released by Nullsoft on May 26, 1999. The Examiner has included screenshots showing the selection (and subsequent de-selection) of a “Snap” feature from the options menu of Winamp, along with several screenshots showing various arrangements of windows. The snap feature of Winamp is essentially a “magnet”, pulling windows together once they are within a predetermined distance of each other, e.g., 10 pixels. The windows then automatically align themselves (as shown in the Examiner’s figures). However, once windows are snapped together, they can be pulled apart and dragged over top of one another without turning off the snap feature.

The Cited Reference Does Not Anticipate the Claimed Invention

The MPEP and case law provide the following definition of anticipation for the purposes of 35 U.S.C. §102:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP §2131 citing *Verdegaal Bros. v. Union Oil Company of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987)

The Examiner Has Not Established a *Prima Facie* Case of Anticipation

As noted above, the present claimed invention includes configuring a GUI into a non-overlapping workspace and pushing a second object in the workspace with a first object when the first object comes into contact with the second rather than overlapping the second object. These features, specifically configuring the GUI into a non-overlapping workspace and pushing an object with another, are not taught or reasonably disclosed by the prior art.

Winamp, as illustrated through the Examiner's screenshots, include a "Snap" feature which snaps, or aligns, various windows next to each other. Figure 3 shows a user configuring this Snap feature, and the following figures, Figures 4-7, show various windows arranged, some snapped together, others spaced apart. The Examiner asserts that selecting this Snap feature as teaching the claimed limitation of configuring a GUI into a non-overlapping workspace. Applicants respectfully disagree. As shown in Figures 1 and 2 of Appendix A attached herein, windows can still be overlapped when the snap feature is selected. This is in direct contrast with the present invention. The present invention is specifically a non-overlapping workspace. The snap feature is actually for arranging the windows on the screen in an organized manner. But, once the windows are snapped together, the windows can still be overlapped, as shown in Figure 2 of Appendix A.

Specifically, in Figure 2, the window labeled "WINAMP PLAYLIST" is being pushed into the other windows while the snap feature is still turned on. As illustrated, the window being moved merely overlaps the other windows. This is in direct contrast to the present invention where one window moving into other windows will not overlap the other windows; rather the first window will push the other windows out of the way. The Examiner asserts this snap feature results in a first

window pushing a second window, as opposed to overlapping the second window, when they come in contact. Again, as shown in Figure 2 of Appendix A, the window being moved did not push other windows, rather, it moved to a position overlapping several of the other windows. This is also in direct contrast to the presently claimed invention.

Merely having a snap feature for snapping windows to the edge of the screen or other windows is not the same as configuring a GUI into a non-overlapping space or pushing an object as is claimed. Accordingly, each of the independent claims (Claims 1, 9 and 17), and all claims depending therefrom, patentably define as novel over the Winamp and are in condition for allowance.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 09-0461.

Respectfully submitted,

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Appendix A

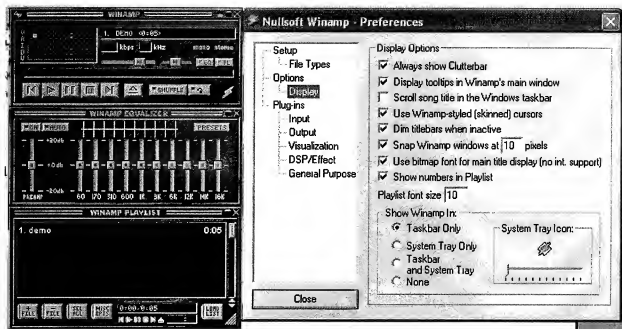


Figure 1: Winamp 2.22, "Snap" feature selected, windows snapped together

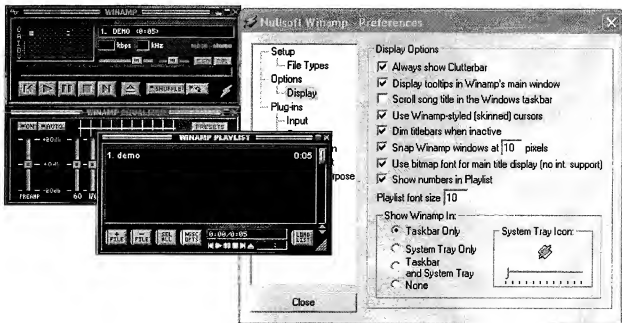


Figure 2: Snap feature still selected, windows overlapped as opposed to pushing each other.